

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INTELLECTUAL VENTURES I LLC,

Plaintiff,

v.

T-MOBILE USA, INC., T-MOBILE US,
INC., ERICSSON INC., and
TELEFONAKTIEBOLAGET LM
ERICSSON,

Defendants.

Civil Action No. 2:17-cv-00577-JRG

JURY TRIAL DEMANDED

**DECLARATION OF JOSEPH M. ABRAHAM IN SUPPORT OF PLAINTIFF
INTELLECTUAL VENTURES I LLC'S OPPOSITION TO DEFENDANTS' MOTION
FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO.
RE46,206**

My name is Joseph M. Abraham, and I declare:

1. I am over the age of eighteen, and I am competent to make this declaration. I provide this declaration based upon my personal knowledge. I would testify to the facts in this declaration under oath if called upon to do so.

2. I am an attorney with the law firm Dechert LLP, attorneys of record for Intellectual Ventures I LLC (herein, "Intellectual Ventures"). I submit this declaration in support of Intellectual Ventures I LLC's Opposition to Defendants' Motion for Partial Summary Judgment of Invalidity of U.S. Patent No. RE46,206.

3. Attached hereto as Exhibit 1 is a true and correct copy of the initial papers filed on September 12, 2002, in U.S. Patent Application No. 10/241,454 (with highlighting added to p. 1).

4. Attached hereto as Exhibit 2 is a true and correct copy of the initial papers filed on July 9, 1999, in U.S. Patent Application No. 09/350,156.

5. Attached hereto as Exhibit 3 is a true and correct copy of the July 14, 2015, Petition for Corrected Filing Date Under 37 CFR § 1.182 from the prosecution file of U.S. Reissue Patent Application No. 12/943,796, which ultimately matured into U.S. Patent No. RE46,206 (with highlighting on p. 3).

6. Attached hereto as Exhibit 4 is a true and correct copy of Form PTO/SB/05 (03-01) available on the Internet Archive website at <https://web.archive.org/web/20011217032720/http://www.uspto.gov:80/web/forms/sb0005.pdf>.

7. Attached hereto as Exhibit 5 is a true and correct copy of the October 15, 2002, Notice of Incomplete Nonprovisional Application from the prosecution file of U.S. Patent Application No. 10/241,454 (“the ’454 Application”).

8. Attached hereto as Exhibit 6 is a true and correct copy of the October 24, 2002, Response to Notice of Incomplete Application and accompanying papers from the prosecution file of the ’454 Application.

9. Attached hereto as Exhibit 7 is a true and correct copy of the October 24, 2002, Request for Refund and attachment from the prosecution file of the ’454 Application.

10. Attached hereto as Exhibit 8 is a true and correct copy of the May 23, 2016, Decision of the U.S. Patent and Trademark Office granting the July 14, 2015 Petition referenced in Paragraph 5, above.

I declare under penalty of perjury under the laws of the United States of America and laws of the States of Texas and Washington that the foregoing is true and correct to the best of my knowledge.

Executed this 10th day of December, 2018 in Bellevue, Washington.

/s/ Joseph M. Abraham
Joseph M. Abraham